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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/049,211	02/05/2002	Siani Lynne Pearson	B-4487PCT 619499 -6	8087

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EXAMINER

SHERKAT, AREZOO

ART UNIT	PAPER NUMBER
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2131

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/24/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/049,211

Applicant(s)

PEARSON ET AL.

Examiner

Arezoo Sherkat

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-7,19-22,26,27,29 and 31-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-7,19-22,26,27,29 and 31-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

This office action is responsive to Applicant's after final amendment received on 3/29/2007. Claims 3, 8-18, 23-25, 28, and 30 have been cancelled. Claims 1, 2, 4-7, 19-22, 26-27, 29, and 31-47 remain pending.

Allowable Subject Matter

The indicated allowability of claims 1, 2, 4-7 is withdrawn in view of the newly discovered reference(s) to Levy et al., (U.S. Patent No. 6,092,147 and Levy hereinafter), in view of Marsh, (U.S. Patent No. 7,124,938). Rejections based on the newly cited reference(s) follow.

Claim Objections

Claims 1, 6, 7, 19, 20, 27, 29 are objected to because of the following informalities: The limitation "means storing" should read as "means for storing". Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 7, 19, 20, 27, 29 recite the limitation "the platform". There is insufficient antecedent basis for this limitation in the claim. This limitation should be changed to "the computer platform".

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Claims 1, 7, 19, 20, 27, 29 recite the limitation "the data" or "that data". There is insufficient antecedent basis for this limitation in the claim. This limitation should be changed to "the particular data".

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2 and 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levy et al., (U.S. Patent No. 6,092,147 and Levy hereinafter), in view of Marsh, (U.S. Patent No. 7,124,938).

Regarding claims 1 and 7, Levy discloses a computer platform having:

a trusted module which is resistant to internal tampering and which stores a third party's public key certificate (col. 8, lines 44-67 and col. 9, lines 1-25), means for storing license-related code comprising at least one of a secure executor for checking whether the platform or a user thereof is licensed to use particular data and for providing an interface for using the data and/or for monitoring its usage, and a secure loader for checking whether the platform or a user thereof is licensed to install particular data and/or for checking for data integrity before installation, the license-related code

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including secure key-transfer code for enabling a license key to be transferred between the trusted module and a further trusted module of another computer platform (col. 5, lines 15-67 and col. 6, lines 1-60), means for storing a hashed version of the license-related code signed with the third party's private key (col. 6, lines 10-27), and means for integrity checking the license-related code with reference to the signed version and the public key certificate and preventing the license-related code from being loaded if the integrity check fails (col. 9, lines 1-25).

Levy does not explicitly disclose the process of verification of an asymmetric digital signature in detail.

However, Marsh discloses a trusted module which is resistant to internal tampering and which stores a third party's public key certificate (i.e., a certificate that is digitally signed by a trusted licensing authority), means for storing a hashed version of the license-related code signed with the third party's private key (col. 10, lines 3-67), and means for integrity checking the license-related code with reference to the signed version and the public key certificate and preventing the license-related code from being decoded and rendered by the renderer module through the rendering device if the integrity check fails (col. 15, lines 8-67 and col. 16, lines 1-24).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify teachings of Levy with teachings of Marsh because it would allow to include the process of verification of an asymmetric digital signature in detail as disclosed by Marsh. This modification would have been obvious because one of ordinary skill in the art would have been motivated by the suggestion of

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Marsh to ensure that the licensing authority did in fact sign the certificate and the certificate has not been altered since it has been signed (Marsh, col. 10, lines 25-45).

Regarding claim 2, Levy discloses a computer platform as claimed in claim 1, wherein the means for integrity checking further comprises a suitable cryptographic computation such as computing and comparing a hash value (col. 6, lines 10-25).

Levy does not explicitly disclose the process of verification of a hash value in detail.

However, Marsh further discloses means for reading and hashing the license-related code to produce a first hash, means for reading and decrypting the signed version using the public key certificate to produce a second hash, and means for comparing the first and second hashes (col. 10, lines 3-67).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify teachings of Levy with teachings of Marsh because it would allow to include the process of verification of a hash value in detail in detail as disclosed by Marsh. This modification would have been obvious because one of ordinary skill in the art would have been motivated by the suggestion of Marsh to ensure that the licensing authority did in fact sign the certificate and the certificate has not been altered since it has been signed (Marsh, col. 10, lines 25-45).

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Regarding claim 4, Levy discloses a computer platform as claimed in claim 1, wherein the license-related code also includes a library of interface subroutines which can be called in order to communicate with the trusted module (col. 5, lines 60-67 and col. 6, lines 1-10).

Regarding claim 5, Levy discloses a computer platform as claimed in claim 1, wherein the license-related code includes, for at least one group of data, a (or a respective) software executor (i.e., compiler application 144) which specifies the respective group of data and which is operable to act as an interface to that group of data (col. 9, lines 39-67 and col. 10, lines 1-25).

Regarding claim 6, Levy discloses a computer platform as claimed in claim 1, wherein the means for storing the license-related code and/or the means for storing the hashed version of the license-related code are provided, at least in part, by the trusted module (col. 6, lines 10-27).

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arezoo Sherkat whose telephone number is (571) 272-3796. The examiner can normally be reached on 8:00-4:30 Monday-Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A.S.
Patent Examiner
Group 2131
April 18, 2007


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